

BAHRAIN

EXECUTIVE SUMMARY

Bahrain is a monarchy. Noncitizens make up slightly more than half of the population. King Hamad Bin Isa Al-Khalifa, the head of state, appoints the cabinet of ministers; approximately half are members of the Sunni Al-Khalifa ruling family. The parliament consists of an appointed upper house (the Shura Council) and the elected Council of Representatives. Approximately 17 percent of eligible voters participated in parliamentary by-elections on September 24. Independent human rights organizations did not consider these elections to be free and fair; a boycott by opposition political societies affected the outcome in the already extensively gerrymandered districts. Security forces reported to civilian authorities during most of the year.

Beginning in February the country experienced a sustained period of unrest, including mass protests calling for political reform. Gulf Cooperation Council (GCC) Peninsula Shield Forces (PSF) troops were stationed in the country as a result of the unrest. Royal Decree Number 18 implemented an emergency State of National Safety (SNS) from March 15 to June 1 in accordance with the constitution. Military and civilian security forces carried out extensive security operations, including attacks on peaceful protesters at the former GCC Roundabout (commonly referred to as the Pearl Roundabout and subsequently renamed Al Farooq Junction) in Manama on February 17. Fifty-two confirmed deaths during the year may be linked to the unrest. There were 35 deaths between February 14 and April 15 alone, according to the Bahrain Independent Commission of Inquiry (BICI), and there were reports of an additional 17 related deaths throughout the rest of the year. Five of the 35 persons died as a result of torture inflicted by elements of security services during the SNS. During the year rioters attacked South Asian residents, killing at least two.

The most egregious human rights problems reported in 2011 included the inability of citizens to peacefully change their government; the dismissal and expulsion of workers and students for engaging in political activities; the arbitrary arrest and detention of thousands, including medical personnel, human rights activists, and political figures, sometimes leading to their torture and/or death in detention; and lack of due process.

Other significant human rights concerns included arbitrary deprivation of life; detention of prisoners of conscience; reported violations of privacy and restrictions

on civil liberties, including freedoms of speech, press, assembly, association, and some religious practices. In some instances the government imposed and enforced travel bans on political activists. Discrimination on the basis of gender, religion, nationality, and sect persisted, especially against the Shia population. The government demolished multiple Shia religious sites and structures during the year. There were reports of domestic violence against women and children. Trafficking in persons and restrictions on the rights of foreign workers continued to be significant problems.

The king established the BICI on June 29 and granted it authority to investigate and report on the events in February and March and their aftermath. The BICI report, released on November 23, identified a “culture of impunity” in the security services and expressed concern about the lack of accountability for human rights violations, among other findings.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were a number of reports that government security forces committed arbitrary or unlawful killings. The BICI report attributed 19 civilian deaths in the spring to security forces; of these it attributed 14 to the Ministry of Interior (MOI), three to the Bahrain Defense Force (BDF), one to the Bahrain National Security Agency (BNSA), and one to an unnamed security agency. Thirteen of these deaths were due to the use of firearms, five to torture in custody, and one to physical injuries as the result of beating. Of the 14 deaths attributable to the MOI, the BICI concluded that nine resulted from excessive use of force and three from mistreatment in custody; there was not enough evidence to determine cause of death in the other two cases. Of the five persons whose deaths resulted from torture, three died in MOI custody, one four days after being released from MOI custody, and one at the BDF Hospital after being transferred from BNSA custody (see section 1.c., Prison and Detention Center Conditions). The BICI report also discussed 11 deaths that took place beyond the February-March period covered by its report, for which it did not assign responsibility. It noted, however, that the deaths may have been the result of incidents related to protest activity or excessive use of force by security forces (see also section 2.b., Freedom of Assembly). Local human rights organizations maintained that six additional deaths were linked indirectly to clashes between protesters and security forces, particularly due to exposure to tear gas.

On March 16, Isa Radhi Abdali Ahmed Alradhi died in Sitra from injuries that included a fractured skull and internal bleeding in the brain caused by head trauma. The BICI report noted that clashes between residents and police broke out in Sitra on March 15, when a large operation by plainclothes police and military personnel took place. A witness stated he saw 15 police officers beat Alradhi for approximately 20 minutes. The BICI concluded that his death was the result of excessive use of force. A forensic report confirmed that the deceased sustained multiple injuries consistent with beatings. The MOI initiated an investigation into this incident but gave no further details.

On March 19, Hani Abdulaziz Abdulla Jumaa, who was seen being chased by approximately 15 riot police in the predominantly Shia village of Al Khamis, died of gunshot injuries to the right leg, left leg, and left arm. It was unclear why police were pursuing Jumaa. He was reportedly beaten, shot, and abandoned. He was taken to International Hospital and then BDF Hospital where he died later that day. A forensic report showed that the wounds were caused by three or more shots at a distance of three feet or less and that the deceased also sustained many bruises on his head, face, chest, and shoulders. The MOI stated that it was investigating Jumaa's death and identified the officer responsible, who was subsequently suspended from duty.

b. Disappearance

The BICI stated it was not able to identify instances of enforced disappearance. Nevertheless, there were cases in which the government concealed or withheld information about detainees' whereabouts for days or weeks from detainees and/or their families (see section 1.c.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution prohibits "harm[ing] an accused person physically or mentally." Nevertheless, domestic and international human rights nongovernmental organizations (NGOs) and the BICI documented numerous instances of torture and other cruel, inhuman, or degrading treatment or punishment during the SNS. Detainees asserted that security officials beat them, sometimes while they were blindfolded and often with clubs, whips, or rubber hoses. Officials reportedly used electric shocks on their victims; suspended them upside down; placed them in solitary confinement, sometimes in extreme temperatures; and burned body parts with lighters. Many reports followed a similar pattern of abuse: arbitrary arrest,

beating without interrogation, beating with interrogation, harassment and intimidation without further physical abuse, and then release of the detainee after any visible wounds or signs of mistreatment had healed. Most victims were Shia.

On April 27, the Office of the Inspector General at the MOI announced in a press statement that it had received more than 1,200 calls on its hotline for reporting abuse. During the period following the establishment of the SNS, the quasigovernmental National Human Rights Institute also established a hotline to report abuses.

The BICI investigated 559 complaints concerning the treatment of detainees, of which all but nine were Shia. Fifty-nine of those who submitted complaints underwent forensic examination. A general pattern of mistreatment emerged from the investigations. Three government agencies--the MOI, BNSA, and BDF--were involved in interrogating detainees in relation to the unrest in February and March. The primary interrogation facilities in which detainees reported mistreatment included the Al Adliya MOI Criminal Investigation Division (CID), BNSA's Al Qalaa, and police stations in Al Rifaa, Al Qudaibiya, Samaheej, Al Nuaim, Nabih Saleh, Al Budaiya, and Sitra. There were also some complaints of mistreatment in Al Qurain (BDF), Dry Dock Detention Center (MOI), Jow Prison (MOI), and Isa Town Detention Center for Women (MOI), the locations where most detainees were held. Detainees at Al Qurain reported that their mistreatment ceased after June 10, when the military attorney general took control of the facility. Reports of detainee mistreatment continued at other facilities. A large number of the 179 detainees held by the BNSA reported mistreatment, including torture and other forms of cruel, inhuman, or degrading treatment. The most common techniques included blindfolding detainees; forcing them to stand for prolonged periods; beating, punching, and hitting them with rubber hoses, cables, whips, metal, wooden planks or other objects; electrocution; sleep-deprivation; exposure to extreme temperatures; verbal abuse; threats to rape the detainee or family members; and insulting the detainee's religious sect (Shia).

The physical and psychological mistreatment by the BNSA and MOI was aimed in some cases at extracting confessions and statements under duress, while in other cases was intended for the purposes of retribution and punishment. The BICI concluded that the two institutions engaged in the systematic physical and psychological mistreatment of a large number of detainees that, in many cases, amounted to torture. The "culture of impunity" that the BICI report identified meant that security officials had few incentives not to mistreat prisoners or to take action to prevent mistreatment by other officials.

Subsequent to the commencement of BICI investigation, the MOI reported to the BICI that it had received 132 claims of mistreatment. The MOI investigated 84 of these and prosecuted 10. The BNSA reportedly commenced a general investigation, but no further details were available. On December 24, the public prosecutor announced he would assume responsibility for all cases related to allegations of torture or mistreatment of detainees by MOI personnel.

In one case, 14 prominent political activists--Ibrahim Sharif Abdulraheem Mossa, Hassan Ali Mushaima, Abdulwahab Hussain Ali, Abdulhadi Al Khawaja, Abduljalil Abdullah Al Singace, Mohammed Habib Al Safaf (aka Mohammed Habib Miqdad), Saeed Mirza Ahmed, Abduljalil Mansoor Makki (aka Abdul Jalil Miqdad), Al Hurra Yousif Mohammed, Abdullah Isa Al Mahroos, Salah Hubail Al Khawaja, Mohammed Hassan Jowad, Mohammed Ali Ismael, and Abdulhadi Abdullah Mahdi Hassan--reported mistreatment while in the custody of BNSA between mid-March and April 13, during which time they were transferred to BDF custody at Al Qurain Prison. The BDF reported that a medical doctor examined the detainees when they arrived at that facility and that some showed signs of physical abuse. According to the BICI, detainees at Al Qurain Prison reported that abuse ceased and conditions improved dramatically after June 10.

During the SNS court trial of medical personnel charged with felony crimes at Salmaniya Medical Complex in Manama, the defendants filed a motion alleging torture while in CID custody beginning in mid-March. They stated that confessions had been extracted from them under torture. In interviews with the international press, at least 20 medical personnel reported that unidentified security officials used electric shocks; kicked and beat them with sticks, plastic hoses, and shoes; and threatened them with rape and/or injury to family members. The SNS Court rejected the defendants' motion and ruled that the confessions were admissible in the trial. All of the defendants were convicted and received prison sentences ranging from five to 15 years. Defendants appealed the judgment to the civilian appellate court, and the attorney general amended the charges and disallowed the confessions. The appeal was ongoing at year's end.

At times children were also subjected to torture and other cruel, inhumane, or degrading treatment or punishment. The BICI report found that authorities detained children, sometimes under the age of 15, and subjected them to various forms of mistreatment, including beating, slapping, kicking, lashing with rubber hoses, and verbal abuse that was sectarian in nature. In one incident, on August 1, BICI investigators visited the Budaiya police station and witnessed several

detained teenage boys standing blindfolded and handcuffed. All had been beaten, and one 14-year-old boy had cigarette burns on his chest. The BICI report also concluded that security forces caused psychological trauma to young children during forced-entry raids of private homes, frequently forcing them from their beds and separating them from their parents.

On February 21, the king suspended the high-profile trial and ordered the release from prison of 23 Shia activists arrested in August and September 2010 and charged with attempting to “overthrow the government,” among other offenses. The defendants reportedly were tortured in detention. Some of the 23 were rearrested following the imposition of the SNS and were part of the trial of the 14 prominent political activists who reported abuse while in the custody of the BNSA and the BDF. On June 22, those who were rearrested were convicted in the SNS court on separate charges, including attempting to “overthrow the government,” and sentenced to terms ranging from 15 years to life in prison. They remained in Jow Prison at year’s end.

Prison and Detention Center Conditions

Conditions in detention centers were often harsh and sometimes life-threatening. It was unclear whether prison conditions changed following the lifting of the SNS and the establishment of the BICI. In addition to alleged torture and abuse of detainees at police stations and detention centers across the country during the SNS, the BICI report identified cases of four detainee deaths during pretrial detention. For example, Ali Isa Ibrahim Saqer, who was accused of running over a police officer with a car, reportedly turned himself over to police on April 5 after his house was raided several times. He died in MOI custody on April 9. In May the interior minister announced the arrest of five prison guards in connection with Saqer’s death. Two of the accused were charged in the MOI military court with manslaughter while the other three were charged with failing to report a crime. All were charged with engaging in action contrary to military dignity. On December 30, the public prosecutor announced that a new trial would begin in early January 2012 in the civilian courts. According to the prosecutor, the two individuals accused of manslaughter would face charges of torture and the three others would face negligence charges for not reporting the incident.

The BICI reported numerous allegations of poor detention conditions. Several detainees were refused access to toilet facilities for prolonged periods, most often at the CID and Al Asri detention centers. There were reports of lack of access to water for drinking and the washing necessary during the preparation for prayer, the

lack of shower facilities and soap, and the unhygienic state of toilet facilities. Detainees were sometimes subjected to extreme temperatures.

The MOI reported that Jow prison housed more than 1,100 prisoners. During the SNS, detainees were held at detention centers across the country as well as at the BDF facility, Qurain Prison. There was no information as to whether the conditions of female prisoners were different than those of male prisoners. Juveniles above the age of 15 were held together with adults. Pretrial detainees were not typically held with convicted detainees, although this practice did occur at some facilities, including Qurain Prison, during the SNS period. Political and security prisoners faced significantly harsher treatment than other prisoners during the SNS period. Following the establishment of the BICI, their treatment reportedly improved. No known steps were taken during the year to improve recordkeeping or to use alternatives to sentencing for nonviolent offenders.

Detainees were generally permitted visits, but access was severely restricted during the SNS. Some detainees during the SNS period said they were prevented from praying, generally during their first or second day after arrest, but this was not a common complaint. During the SNS period, prisoners reported that complaints of inhumane conditions, especially those addressed to the military prosecutor, went unacknowledged. It was unknown if there were prison ombudsmen.

On December 8, the MOI announced that the interior minister had signed a memorandum of understanding with the International Committee of the Red Cross (ICRC) allowing the ICRC to visit inmates at its reformation and rehabilitation centers and detention centers in accordance with ICRC standards. The last time the government permitted the ICRC to monitor prison conditions was in 2001. By year's end no visit had taken place.

According to the BICI, on April 20, the MOI established an internal committee to supervise and review both its long-term and police-station detention centers. The committee is required to conduct spontaneous inspections to ensure that appropriate safety and security safeguards are in place and that detainees' rights are respected. The committee was tasked with reporting any problems approximately twice monthly to the inspector general. These reports were not made public, and it was unknown whether they were submitted as planned. In August the MOI finalized posters aimed at prison officers detailing the rights of detainees under domestic and international law. The BICI was informed that these were on display in all prisons and detention centers.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention. However, local and international human rights organizations reported that during and subsequent to the SNS there were many cases of arbitrary arrest.

Role of the Police and Security Apparatus

The MOI is responsible for public security and controls the public security force and specialized security units that are responsible for maintaining internal order. The BDF is responsible for defending against external threats and provides internal security. It was deployed within the country on February 17-19 and again on March 15-June 1 during the SNS. During the SNS, four security agencies, following directives issued by the BDF commander in chief, had primary responsibility for internal security: the BDF, MOI, BNSA, and National Guard.

The BICI found that a “culture of impunity” pervaded the security apparatus during the SNS. Security forces were not wholly effective in maintaining order prior to the SNS and were often accused of using excessive force during and after the SNS. The MOI maintained a hotline for citizens to report police abuses, but most in the Shia community believed the government condoned police misconduct and therefore did not report allegations of abuse. Although internal mechanisms for investigating abuses existed under the MOI Office of the Inspector General, the BICI found that MOI personnel committed abuses without significant consequences. The internal and external mechanisms for investigating allegations of abuses by BNSA officials were unclear. On December 8, the MOI announced that the ICRC would begin training courses on human rights and international humanitarian law for MOI personnel. The MOI commenced ICRC training courses before year’s end.

There were instances during the first half of March in which security forces inadequately responded to violence, and a sense of insecurity and lawlessness grew during this period. Popular committees to protect neighborhoods were created in both Shia and Sunni areas, culminating in sectarian confrontations, the worst of which took place at the University of Bahrain on March 13. Police did not respond in time to prevent sectarian clashes between hundreds of students and vigilantes.

Arrest Procedures and Treatment While in Detention

Under the law, in order to apprehend a felony suspect, police must under most circumstances present evidence to a judge, who decides whether to issue an arrest warrant. This process was not always enforced. However, during the SNS there was no requirement for a warrant. According to the law, an individual who is arrested must be interrogated immediately by the arresting authority and cannot be detained for more than 48 hours, after which the detainee must either be released or transferred to the Public Prosecution for further questioning. The Public Prosecution is required to question the detainee within 24 hours and the detainee has the right to legal counsel during questioning. In order to hold the detainee longer, the Public Prosecution must issue a formal detention order based on the charges against the detainee. Detention may be extended for a period of up to seven days for further questioning. If any further extension is required, the detainee must be brought before a judge, who may authorize a further extension not exceeding 45 days. Any extensions beyond that must be authorized by the Higher Criminal Court and renewed in 45-day intervals. In the case of alleged acts of terror, law enforcement officials may detain individuals for five days, with a 10-day extension granted by the Public Prosecution, and the initial detention authorized by the Public Prosecution can be 60 days. In most cases, attorneys must seek a court order to confer with clients. The state provided counsel to indigent detainees. There was a functioning system of bail that provided maximum and minimum bail amounts based on the charges. The bail law allows the presiding judge to determine the amount within these parameters on a case-by-case basis.

According to the BICI, during the SNS, many detainees were held for weeks or months with limited, if any, access to the outside world. There was no access to the courts to challenge the lawfulness of detention. Detainees were denied access to lawyers, sometimes for long periods and sometimes until the day of their trials. In addition the government withheld information from detainees and/or their families about the detainees' whereabouts for days or weeks. In a few cases, the government failed to acknowledge it was holding individuals in detention for up to two weeks. There were multiple reports of detainees held incommunicado for weeks or months.

Arbitrary Arrest: During the period of the SNS, the BNSA, BDF, National Guard, and MOI (in particular the CID and the Public Security Forces, which include the riot police) arbitrarily arrested numerous individuals. The SNS decree authorized the military prosecutor to issue arrest warrants for an indefinite period of time without having to state the evidentiary basis or to secure judicial authorization. During the SNS, police and other authorities were not required to produce an arrest

warrant before arrest. There were numerous reports that detainees were not allowed access to relatives or lawyers for weeks following arrest.

On May 2, a group of armed masked men wearing civilian clothes and using civilian cars reportedly ambushed Matar Ibrahim Matar, a former member of parliament and member of the Shia opposition political society Al-Wifaq, in the street without an arrest warrant. They forced him from his car at gunpoint, then drove him away for what family members were told would be an investigation. According to media sources and human rights organizations, Matar was held incommunicado for three weeks before he was allowed to contact his family. Matar's attorney requested the government to allow him to attend his client's interrogation and trial, but his request was denied. The attorney and Matar's family received information on an informal basis about his trial at the SNS courts and were granted permission to attend just in time for the trial. Matar was released on August 7, but his trial was transferred to civilian courts and was ongoing at year's end. He faced charges of "participating in illegal gatherings" for the purpose of "disrupting public security," "calling for illegal gatherings," and "inciting the overthrow of the regime."

e. Denial of Fair Public Trial

Although the constitution provides for an independent judiciary, the king controls the judicial system. According to the constitution, the king appoints all judges by royal decree. He also serves as chairperson of the Supreme Judicial Council, the body responsible for supervising the work of the courts, and the public prosecutor. During the year the government used a hybrid military-civilian court to try civilians, including opposition leaders, political activists, rights activists, and others who supported or were perceived as supporting the protest movement.

Trial Procedures

According to the constitution, defendants are presumed innocent until proven guilty. Civil and criminal trial procedures provide for a public trial. There are no jury trials. By law and in practice, defendants have the right to prompt consultation with an attorney of their choice within 48 hours (unless they are charged pursuant to counterterrorism legislation). The government provided counsel to indigent defendants. Defendants have the right to present witnesses and evidence on their behalf and question witnesses against them. No law governs defendants' access to government-held evidence and such evidence is available at the discretion of the court. Defendants have the right to appeal. Women's legal

rights varied according to Shia or Sunni interpretations of Islamic law (see section 6).

The SNS court system, created by Royal Decree Number 18 on August 18, was composed of a lower court and a higher appellate chamber. Each chamber was composed of a presiding military judge appointed by the BDF commander in chief and two civilian judges. The military prosecutor handled all SNS cases. The SNS courts had jurisdiction over crimes deemed related to the SNS law, such as protest activities, violence against public officials, weapons violations, acts of terror, and those that relate to foreign or local security threats to the state. Although the trials were not public, family members and members of the international community and the human rights community were allowed to attend sessions of trials if granted permission by the military judiciary. The courts were conducted in military fashion, and the presiding judge often dismissed claims of torture by defendants, according to the BICI. According to activists and human rights organizations, SNS trials were unfair, and violations of due process occurred during proceedings. Common allegations were that detainees were not informed of charges against them, provided adequate access to legal counsel, given full access to evidence presented against them, or permitted to testify on their behalf in court. There were also allegations that statements made under torture or threat of torture were admitted by courts.

Following the issuance of Royal Decree Number 18, a series of royal decrees allowed appeals of SNS convictions in, and later the transfer of SNS cases to, the civilian court system. Royal Decree Number 48 requires the Court of Cassation to review death sentences issued by the SNS courts. On June 29, Royal Decree Number 62 announced the transfer of all cases and appeals not yet adjudicated by the SNS courts to civilian courts. This was partially reversed on August 18, when Law-by-Decree Number 28 was issued stating that ongoing felony cases would take place in the SNS courts whereas ongoing misdemeanor cases would be subject to civilian court review. In addition, the law-by-decree expanded convicted persons' right to appeal SNS appellate court judgments to the Public Prosecution and in the Court of Cassation (including those who had not received death sentences). The SNS courts officially closed on October 7. Some of the cases transferred to the civilian courts were suspended while others were ongoing at year's end.

Political Prisoners and Detainees

Human rights organizations and the BICI reported that many of those arrested during the SNS period were targeted because of their political activism. Some detainees were leaders of, or affiliated with, political groups, including Ibrahim Sharif, secretary general of the secular, pansectarian, Wa'ad political society, and Shaikh Mohammed Ali Al Mahfoodh, secretary general of the registered Shia opposition political society Amal. On June 22, a SNS court sentenced Sharif to five years' imprisonment on various dubious charges that included "attempting to overthrow the regime." On October 4, a SNS court convicted Al Mahfoodh on charges that included seeking to overthrow the regime by force, inciting public hatred, and spreading false news. At year's end both cases were under appeal in the civilian system, and both men remained in prison.

According to the NGO Bahrain Human Rights Society (BHRS), during the SNS period more than 1,800 citizens were detained for activities related to the unrest. Many were arrested for their alleged involvement in protests or political activities, but it is unclear how many could be classified as political prisoners.

Political prisoners during the SNS were not given the same protections as other prisoners, according to the BICI, and were not given access to international humanitarian organizations.

Civil Judicial Procedures and Remedies

Citizens may bring civil suits before a court seeking cessation of or damages for some types of human rights violations. However, in many such situations, the law prevents citizens from filing civil suits against security agencies. On August 28, the king announced a compensation fund for individuals who were "materially, morally, or physically harmed" by security forces or public officials during protests during the year.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Although the constitution prohibits such actions, the government violated these prohibitions during the SNS, and there were reports by human rights organizations that such violations may have continued after the end of the SNS. Human rights organizations reported that security forces entered homes without authorization. The BICI reported that "in many cases, the arresting units forcibly entered ... homes..., destroyed personal property, including cars, failedto identify themselves or ... inform the arrested individual of the reasons for arrest or to show

arrest warrants, and acted in an aggressive and, at times, terrorizing manner towards members of the household, including women and children.”

The government is required to obtain a court order before monitoring telephone calls, e-mail, and personal correspondence.

Many Shia citizens and human rights organizations believed there were extensive police informer networks, but they were unable to provide concrete evidence.

According to the BICI report, the BNSA monitored the activities of individuals and groups inside the country thought to constitute a threat to national security during the events of February and March.

According to the BICI report, detainees often received threats from security officials that their family members would face reprisals for the detainees’ activities.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Status of Freedom of Speech and Press

The constitution provides for freedom of speech and press, “provided that the fundamental beliefs of Islamic doctrine are not infringed, the unity of the people is not prejudiced, and discord or sectarianism are not aroused.” In practice the government limited freedom of speech and press through a variety of means, including the active prosecution of individuals in both civilian and SNS courts under the press law, libel and slander laws, and national security-related laws.

Freedom of Speech: The law forbids any speech that infringes on public order or morals. While individuals openly expressed critical opinions regarding domestic political and social issues in private settings, those who publicly expressed such opinions faced repercussions. There were multiple reports that government and parastatal employers dismissed or suspended workers for statements made either in person or through social media. During the year the government also prosecuted individuals in SNS and civilian courts for incitement against the government and insulting public officials.

On March 27, police arrested Fadhila Mubarak Ahmed at a security checkpoint for “playing music calling for the overthrow of the regime.” Security forces claimed she refused to turn down the music and physically and verbally insulted a police officer. She was taken to a police station in Riffa and was later transferred to a police station in Isa Town. Security forces allegedly beat her while she was in custody. On May 18, the lower SNS court sentenced Ahmed, along with eight others, to four years’ imprisonment for insulting a public official, calling openly for hatred of the regime, and taking part in illegal protests. On June 8, an appeals court reduced her sentence to 18 months. She remained in prison at year’s end.

On March 30, Ayat Al Qurmozi, a university student, turned herself in to authorities following multiple raids on her family home. Al Qurmozi had risen to prominence following her recitation of original poems critical of the government at two demonstrations at the GCC/Pearl Roundabout in February and March. On two earlier occasions, masked members of the security forces raided her parents’ house and threatened to kill her brothers unless she came forward, according to Amnesty International. She was held incommunicado for the first 15 days of her detention, during which time she was reportedly tortured. On June 13, a SNS court convicted Al Qurmozi of inciting hatred against the regime and taking part in an illegal gathering. On July 13, she was released from prison. On November 21, Al Qurmozi’s defense attorney announced that the court of appeal had suspended the case upon the request of the public prosecutor.

Freedom of Press: The government did not own any print media, but the Information Affairs Authority (IAA) and other government entities exercised considerable control over privately owned domestic print media. The government refused visas to many international media representatives.

On March 15, unknown vandals attacked the offices and printing presses of the independent *Al Wasat* newspaper, forcing it to stop publishing and to relocate its offices. On April 2, the IAA briefly suspended *Al Wasat* and blocked its Web site after a program called *Al Rasid* (The Observer) on state-run Bahrain Television alleged that the newspaper had published false news and photographs. On April 3, security officials detained *Al Wasat*’s cofounder and board member, Abdul Kareem Fakhrawi, after he responded to a Sanabis police station summons. He died as a result of torture while in BNSA custody, according to the BICI. The IAA stated that *Al Wasat* was suspended for “unprofessional and unethical” reporting and ordered an inquiry into the newspaper’s activities. The government published a 30-page report alleging that *Al Wasat* intended to “target” the country’s security and stability by misleading readers through “lies, falsification, and plagiarism.”

The newspaper resumed publication on April 4, following the resignation of another founder and editor in chief, Mansoor Al-Jamri, and other senior staff members. Al-Jamri was rehired as editor in chief in August.

The government owned and operated all domestic radio and television stations. Radio and television broadcasts in Arabic, Farsi, and English from countries in the region, including by satellite, were generally received without interference. The IAA reviewed all books and publications prior to issuing printing licenses. The Ministry of Justice and Islamic Affairs reviewed books that discussed religion.

Violence and Harassment: According to Reporters without Borders, there were many reports of journalists being harassed, arrested, or attacked due to their reporting during the year. The Committee to Protect Journalists and Reporters without Borders documented the detention of and physical assaults on journalists, including the deaths of two in custody, as well as government-sponsored billboards and advertisements smearing journalists and activists. The government also denied entry to, deported, and harassed foreign journalists during the year. For example, on March 16, the IAA required CNN reporter Mohammed Jamjoom to leave the country. The authorities did not provide a reason for his expulsion, but observers believed it was likely due to his critical reporting.

On May 22, police summoned and interrogated Nazeeha Saeed, a journalist for France 24 and Monte Carlo Radio. Authorities accused her of participating in protests and calling for the downfall of the regime, charges that she denied. She claimed that interrogators insulted her and questioned her about journalistic reports she had written for international media outlets. She reported that police officers repeatedly kicked and beat her with a rubber hose, applied electric shocks to her arm, poured urine on her face, forced a shoe into her mouth, and plunged her head into a toilet to simulate drowning. At the end of the interrogation, officials forced her to sign a document that she was not permitted to read. The journalist later filed a report of the incident with the MOI. On May 24, physicians from Doctors without Borders examined her, following which she traveled to Paris for medical treatment. On May 25, the interior minister announced an investigation into the reported abuse; there was no update at year's end.

Censorship and Content Restrictions: Government censorship occurred. IAA personnel actively monitored and blocked stories on matters deemed sensitive, especially those related to sectarianism, national security, or criticism of the royal family, the Saudi royal family, or the judiciary. Journalists widely practiced self-censorship. According to some members of the media, government officials

contacted editors directly and told them to stop writing about certain subjects or told them not to publish a press release or a story.

Libel Laws/National Security: The government enforced libel and national security-related laws restricting freedom of press. The law provides for fines of as much as 10,000 dinars (\$26,500) and prison sentences of at least six months for criticizing the king or inciting actions that undermine state security, as well as fines of up to 2,000 dinars (\$5,300) for 14 related offenses. Punishable activities include publicizing statements issued by a foreign state or organization before obtaining the consent of the IAA president, publishing any reports that may adversely affect the dinar's value, reporting any offense against a head of a state that maintains diplomatic relations with the country, and publishing offensive remarks about an accredited representative of a foreign country because of acts connected with the person's position.

On June 14, the government announced it would sue British newspaper *The Independent* for libel over an article written by correspondent Robert Fisk. The government accused the newspaper of deliberately "orchestrating a defamatory and premeditated media campaign" and "failing to abide by professional impartiality and credibility in its one-sided news-coverage and reports." The status of the libel case remained unknown at year's end.

Internet Freedom

The government restricted Internet freedom and monitored individuals' online activities, including via social media, punishing many during the year.

The governmental Telecommunications Regulatory Authority (TRA) ordered service providers to block Internet users' access to certain Web sites, including sites those officials considered antigovernment, anti-Islamic, or likely to incite sectarian tensions. During the year the government blocked the Web site of at least one human rights NGO, the Bahrain Center for Human Rights (BCHR). The government also blocked the Web sites of a number of opposition groups, including the Wifaq and Wa'ad political societies, for extended periods. Public discussion of blocked Web sites was widespread, and many users were able to access blocked sites through alternate servers.

On March 30, security forces arrested Mahmood Al Yousif, one of the country's most prominent bloggers, in a 3 a.m. raid on his home. After questioning, he was released from custody on March 31.

The BICI reported that detainees complained that security forces monitored or demanded access to their e-mail.

On April 9, the management of *Al-Watan* newspaper asked a journalist to resign without giving her a reason for her dismissal. A former colleague later informed her that she had been dismissed because a member of parliament had complained to her editor about the content of news articles she had been posting on her personal Facebook page, according to the BICI.

Academic Freedom and Cultural Events

During the year the government dismissed professors and suspended or expelled hundreds of university students for their participation in demonstrations and political activities. Some academics censored themselves, avoiding discussion of contentious political issues.

The University of Bahrain suspended and subsequently dismissed 19 academics on charges ranging from participation in demonstrations to spreading false news. As of year's end, eight of the 19 academics had been reinstated with "final warnings," allowing the university to legally dismiss them in the future without further warnings.

On April 17, Abdulla Al Derazi was suspended from his position at the University of Bahrain for participating in demonstrations, talking to foreign media, and spreading false information. On August 11, he was dismissed after the university's investigative committee found him guilty of those charges. He was reinstated on December 4 after being issued a final warning.

According to a Human Rights Watch report, beginning in April, university authorities suspended or expelled at least 500 students for their alleged participation in antigovernment protests. Most of the students were enrolled at the University of Bahrain or Bahrain Polytechnic. Students reported that university committees did not permit them to defend their actions but made their decisions perfunctorily after 20 minutes to an hour of questioning. Official university statements prior to the expulsions indicated that students would be punished for violent actions only, but this did not appear to be the case. One student was reportedly expelled for planned absences from class and participation in rallies without prior permission from university authorities. University of Bahrain administrators reportedly advised professors not to write recommendations for

expelled students. When it reopened in May, the University of Bahrain reportedly forced all students to sign “loyalty pledges” swearing their “complete loyalty to the leadership of the Kingdom of Bahrain represented by His Majesty King Hamad bin Isa Al Khalifa.” The pledge included a promise “not to organize or participate in any activity within the campus or outside that is irrelevant to student and academic affairs and authorized research.” On August 25, the Ministry of Education reversed the majority of disciplinary decisions taken against students and reinstated their scholarships.

There were reports of cultural institutions declining to offer programs considered too politically sensitive during the year.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for the right of free assembly, but the law restricts the exercise of this right, and security forces intervened against many demonstrations during the year. Organizers must submit requests for permission to hold public gatherings or demonstrations to the MOI at least 72 hours in advance. The law states that funeral processions may not be turned into political rallies and security officials may be present at any public gathering. Organizers of an unauthorized gathering face prison sentences of three to six months.

The government limited and controlled political gatherings. The law regulates election campaigning and prohibits political activities at worship centers, universities, other schools, government buildings, and public institutions. The government did not allow mosques, ma’tams (Shia religious community centers), or other religious sites to be used for political gatherings unless permission was first obtained.

While the government tolerated some spontaneous gatherings, authorities severely restricted freedom of assembly at various times. On several occasions government forces used unnecessary and disproportionate force to disperse protesters. The BICI found that the government used excessive force on February 17 when it used tear gas, shotguns, batons, sound bombs, and rubber bullets to disperse protesters from the GCC/Pearl Roundabout. Approximately 1,000 MOI personnel entered the GCC/Pearl Roundabout at 3 a.m. to disperse camping protesters. Personnel from the BNSA, CID, and BDF Intelligence were also on site. Security forces fired numerous rounds of tear gas to disperse protesters and engaged protesters

directly. The MOI indicated that a number of protesters assaulted police officers with rocks, sticks, metal rods, swords, knives, and other sharp objects. As a result, more than 40 officers sustained injuries, including severe cuts to limbs. The clearing operation and subsequent clashes between security personnel and protesters led to the deaths of four individuals from shotgun wounds and injuries to 50 protesters. Soon after the police crackdown, BDF tanks occupied the GCC/Pearl Roundabout to stop demonstrators from occupying the area. On February 19, security forces withdrew from the GCC/Pearl Roundabout, allowing demonstrators to retake control of the area.

On February 17, Isa Abdulhasan Ali Hussain died from a shotgun injury to the head inflicted near the GCC/Pearl Roundabout. According to an eyewitness account, Hussain was part of a group of protesters clashing with police when an officer fired his weapon at Hussain at close range. On August 8, police officer Ameen Ahmed Musid, a Yemeni citizen, went on trial in a military court for manslaughter in connection to Hussain's death. At year's end the case and similar cases were referred to the Public Prosecution.

While the SNS was in effect, gatherings were not permitted, and the government detained and prosecuted many individuals on charges of participating in "illegal gatherings." On March 16, authorities again cleared the GCC/Pearl Roundabout of protesters and, on March 18, demolished the Pearl Monument. State-run Bahrain Television announced later that the "vile" antigovernment protests had "violated" and "desecrated" the monument and it had to be "cleansed."

Following the lifting of the SNS on June 1, opposition political societies regularly applied for, and in most cases received, permission to conduct rallies. However, the "February 14 Youth Movement" conducted numerous unregistered political protests, at times blocking roads with debris and throwing Molotov cocktails and iron bars. Security forces often responded and sometimes used excessive force.

Freedom of Association

The constitution provides for the right to freedom of association. In practice the government limited this right. Although the government does not allow the formation of political parties, it authorized registered political societies to run candidates for office and participate in other political activities.

The government required all groups to register: civil society groups with the Ministry of Human Rights and Social Development, political societies with the

Ministry of Justice and Islamic Affairs, and labor unions with the Ministry of Labor. The government decided whether a group was social or political in nature, based on its proposed bylaws. The law prohibits any activity by an unlicensed society as well as any political activity by a licensed civil society group.

To apply for registration, a political society must submit its bylaws signed by all founding members, a list of all members and copies of their residency cards, and a financial statement identifying the society's sources of funding and bank information. The society's principles, goals, and programs must not run counter to Sharia or national interest, as interpreted by the judiciary, nor may the society be based on sectarian, geographic, or class identity.

A civil society group applying for registration must submit its bylaws signed by all founding members, together with minutes of the founding committee's meetings containing the names, professions, places of residence and signatures of all founding members. The law grants the Ministry of Human Rights and Social Development the right to reject the registration of any civil society group if it finds the society's services unnecessary, already provided by another society, contrary to state security, or aimed at reviving a previously dissolved society. Associations whose applications are rejected or ignored may appeal to the High Civil Court, which may annul the ministry's decision or refuse the appeal.

Many NGOs and civil society activists asserted that the Ministry of Human Rights and Social Development routinely exploited its oversight role to stymie the activities of NGOs and other civil society organizations. While some local NGOs asserted that bureaucratic incompetence characterized the ministry's dealings with NGOs, numerous others stated that officials actively sought to undermine some groups' activities and impose burdensome bureaucratic procedures on NGO board members and volunteers.

On April 7, the Ministry of Justice suspended the secular, moderate Wa'ad political society, allegedly for statements "defaming the military and security forces." Officials shut Wa'ad headquarters and blocked its Web site. On June 18, the Ministry of Justice, declaring that the political society had issued a retraction, lifted the suspension; the political society was operating at year's end.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at
www.state.gov/j/drl/irf/rpt

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation. However, the government did not always respect these rights in practice.

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to internally displaced persons (IDPs), refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Foreign Travel: The law provides that the government may reject for “reasonable cause” applications to obtain or renew passports, but the applicant has the right to appeal such decisions before the High Civil Court. In practice authorities relied on determinations of “national security” when adjudicating passport applications. Authorities prevented several activists from leaving the country, and it was reported that defense lawyers were subject to travel bans during the SNS.

Protection of Refugees

Access to Asylum: The law does not provide for the granting of asylum or refugee status, and the government has not established a system for providing protection to refugees. In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. Such individuals generally had access to certain social services, education, and employment.

Stateless Persons

Citizenship is generally derived from the father. Noncitizen men who marry citizen women are not entitled to citizenship, and as a result children from such marriages may be stateless. In December the king granted citizenship to 335 persons born to citizen mothers and foreign fathers. It was unknown how many stateless persons resided in the country.

Stateless persons had access to limited social services, education, and employment. They were eligible to receive housing and other government services but were excluded from receiving scholarships.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government or their political system. However, the constitution provides for a democratically elected Council of Representatives, the lower house of parliament. The king may dissolve the Council of Representatives at his discretion. He also has the power to amend the constitution and to propose, ratify, and promulgate laws.

Elections and Political Participation

Recent Elections: The September 24 Council of Representatives by-elections were marred by irregularities. Several registered political societies declined to participate. The by-elections which were organized to replace 18 members from the largest Shia political society, Wifaq, who resigned in February to protest government actions against demonstrators. The opposition political societies asserted that the government gerrymandered electoral districts in 2002 to provide for a progovernment, mostly Sunni, majority in the Council of Representatives. Progovernment political societies declined to run candidates in the election, primarily because the 18 districts in contention were majority Shia districts and progovernment Sunni candidates faced likely defeat, although those societies encouraged their members to vote. Approximately 17 percent of eligible voters participated in the two rounds of voting on September 24 and October 1. The majority of the winning candidates were self-declared independents, with only two candidates claiming ties to official political societies.

Many alleged that the government engineered the victory of some female and Shia candidates by encouraging their competitors to withdraw from the race, and there were accusations that some opposition political societies attempted to intimidate voters. Despite instructions to their members by the main opposition groups to refrain from harassing those citizens who chose to vote, MOI officials reported that members of an unnamed opposition group attempted to disrupt voting at a predominantly Shia precinct in A'ali by throwing rocks to intimidate candidates and voters. Some candidates alleged there was a concerted effort by Shia election boycotters to force them to withdraw from the race. One newly elected candidate

reported that a homemade explosive hit his house the evening that his victory was announced.

Political Parties: The government did not allow the formation of political parties, but more than a dozen “political societies” developed political platforms, held internal elections, and hosted political gatherings. Individuals active with these societies and other opposition political society groups faced repercussions during the year. The government arrested and detained individual members of some political societies, including Wifaq and Wa’ad, for their political activities. They were charged with various crimes, including inciting hatred of the regime and attending an illegal gathering. Six members of the General Secretariat of the Amal political society were detained, tried, and convicted in as SNS court; the defendants remained imprisoned and their cases were under appeal at year’s end.

During the year a number of elected municipal councils suspended several Wifaq political society municipal councilors because of their participation in antigovernment protests. In municipal councils where Wifaq members constituted a minority, Sunni members voted for their expulsion, sometimes in contradiction to the councils’ bylaws. The minister of municipal affairs and urban planning petitioned the king’s cabinet to dissolve municipal councils in which Wifaq members constituted the majority, but the cabinet did not address the petition during the year, and those councils continued to function without hindrance.

A new, predominantly Sunni, political society, the National Unity Gathering, received legal recognition in June.

Political societies were highly critical of provisions in the law requiring them to notify the government before contacting political groups abroad.

Participation of Women and Minorities: The newly elected parliamentarians included three women, one of whom won by default when her opponents withdrew and two of whom won contested races, a first in the country’s history. The elections brought the number of female members of the elected chamber to four. The Shura Council, the appointed 40-member upper house, included 11 women. Two women served as cabinet members, five women sat as judges on the criminal courts, and one was a judge on the Constitutional Court.

Although Shia and Sunni citizens have equal rights before the law, Sunnis dominated political life even though the majority of citizens were Shia. The Shura Council included 19 Shia members, including the speaker, as well as one Jewish

member and one Christian member. Four of the 26 cabinet ministers were Shia, including one of the four deputy prime ministers.

Section 4. Official Corruption and Government Transparency

The law provides criminal penalties for official corruption. However, the government did not implement the law effectively, and some officials reportedly engaged in corrupt practices with impunity. In September, in response to multiple corruption cases in 2009 and 2010, parliament passed a law making government employees at all levels subject to prosecution if they used their positions to engage in embezzlement or bribery, either directly or indirectly.

Penalties can be up to 10 years' imprisonment. In interviews with local press, the Bahrain Transparency Society (BTS) stated that, while progress had been made, there were ongoing concerns about corruption in parastatal companies, including Gulf Air and Aluminum Bahrain (Alba), and in the privatization of public land, which was a major concern of protesters. Significant areas of government activity, including the security services, lack transparency. The press reported that, in a number of cases, authorities jailed or fined law enforcement officials for misconduct, most often for accepting bribes. While an anticorruption unit was established in the MOI, the government did not announce any investigations. The law does not require government officials to make financial disclosure statements.

At year's end an appeal of the November 2010 verdict against two former managers of Alba continued. Activists alleged that the two employees of the aluminum firm, in which the government's sovereign wealth fund was the majority shareholder, were scapegoats for more senior Alba and government officials who engaged in illegal and corrupt activity.

The law does not provide citizens access to government-held information. Most companies and ministries have public Web sites, but specific budgetary information, such as individual expenditures and income, was not available. There was an ongoing internal push within some parts of the government to improve transparency, which has been resisted by other officials.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Restrictions on freedom of association and expression and increased government scrutiny and harassment during the year hindered investigation and public criticism

of the government's human rights policies. Nevertheless, local and international NGOs continued to publish reports on human rights.

The BHRS is the main independent, licensed human rights organization in the country. After having been effectively shuttered in September 2010, it filed a lawsuit later that year appealing the ministerial decree dissolving its board of directors. On February 9, the case was resolved in the NGO's favor, and a new board of directors was elected on July 17, with the former secretary general reelected to his post.

The BCHR, which the government officially dissolved in 2004, continued to issue reports and had strong ties to international human rights NGOs. The BCHR regularly coordinated its activities with leaders of unregistered political groups. The government detained and questioned BCHR personnel several times during the year. An associate organization, the Bahrain Youth Human Rights Society, also continued to operate as an unregistered NGO.

Other local human rights organizations included the independent Migrant Workers Protection Society and several women's rights NGOs, notably the Bahrain Women's Association, the Bahrain Women's Union, and the Young Ladies Society. The Bahrain Human Rights Watch Society was generally supportive of government policies but issued critical reports at times during the year.

In response to the general state of fear that pervaded society during the SNS period, Wifaq created an ad hoc human rights group to record violations. Information provided by Wifaq's human rights committee was cited throughout the BICI report.

The government refused to allow representatives of multiple international human rights organizations to enter the country beginning in mid-February. The government also barred entry to representatives of foreign NGOs working on strengthening institutions and civil society and labor organizations.

Government Human Rights Bodies: Several members of the quasigovernmental National Human Rights Institute (NHRI) resigned in protest following the imposition of the SNS. The NHRI is a royally appointed body outside the control of the government ministries.

On June 29, the government convened the BICI, whose staff included respected international human rights experts, and tasked it with investigating allegations of

human rights violations in February and March and making recommendations for reform. The government generally cooperated with the BICI. The government allocated the commission its own funds, which it used to employ local and international staff. The public generally accepted the report's findings. The BICI report, released on November 23 and accepted by the government, described a "culture of impunity" in the security services and documented excessive use of force, including torture, and a range of other human rights violations by security forces during the unrest. The report also criticized the conduct of some protesters and made a number of recommendations to the government. By year's end the government had begun to implement some of the recommendations.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides for equality, equal opportunity, and the right to medical care, welfare, education, property, capital, and work for all citizens. These rights were protected unevenly, depending on an individual's social status, sect, or gender. The law does not specifically prohibit discrimination based on race, gender, disability, language, religion, sect, or social status. The law deprives foreign workers, who make up approximately half the population, of many fundamental legal, social, and economic rights.

Women

Rape and Domestic Violence: Rape is illegal. The law does not address spousal rape. Penalties for rape include life imprisonment and execution in cases where the victim is a minor younger than 16 or in cases where the rape leads to the victim's death. The government reported 425 cases of sexual harassment and rape during the year but did not provide further details. During the year, 222 defendants were put on trial and 132 were convicted. The press reported cases of men arrested for rape, including a few in which fathers of rape victims sought lighter sentences for perpetrators. There were numerous reports of employers raping female domestic workers, but most victims did not seek legal redress since guilt cannot be proven in court without the testimony of witnesses to the crime.

No government policies or laws explicitly addressed domestic violence. Human rights organizations alleged that spousal abuse of women was widespread. Women rarely sought legal redress for violence due to fear of social reprisal or stigma. Little public attention was devoted to the problem.

Sexual Harassment: The law prohibits sexual harassment with penalties of imprisonment of up to one year or a fine of 100 dinars (\$265) if the victim was 14-21 years old and up to three months in prison and a fine of 20 dinars (\$53) if the suspect is convicted of insulting or committing an indecent act towards a female in public. The government enforced the law in practice. Sexual harassment remained a widespread problem for women, especially foreigners employed as domestic workers and in other low-level service jobs. The press reported a number of cases of men arrested for sexually harassing women. The government reported 425 cases of sexual harassment and rape during the year but did not provide further details. In those cases, 222 suspects were put on trial and 132 were convicted.

Reproductive Rights: Reproductive health services, including birth control and maternity care, were available without charge to all women. Health centers required women to obtain spousal consent in order to undergo sterilization; this consent requirement did not apply to provision of other family planning services. There was no information as to whether women received equal diagnosis and treatment for sexually transmitted infections.

Discrimination: Women faced discrimination under the law. A woman cannot transmit nationality to her spouse or children (see section 2.d., Stateless Persons). Women have the right to initiate divorce proceedings, but religious courts may refuse the request. In divorce cases the courts routinely granted mothers custody of daughters younger than age nine and sons younger than age seven. Custody usually reverted to the father once the children reached nine and seven, respectively. Regardless of custody decisions, the father retains guardianship, or the right to make all legal decisions for the child, until a child reaches the age of 21. A noncitizen woman automatically loses custody of her children if she divorces their citizen father “without just cause.”

Women may own and inherit property and represent themselves in all public and legal matters. In the absence of a direct male heir, Shia women may inherit all their husband's property, while Sunni women inherit only a portion, as governed by Sharia, and the brothers or other male relatives of the deceased divide the balance. In practice better-educated families used wills and other legal tools to mitigate the negative effects of these rules.

Labor laws prohibit discrimination against women. However, discrimination against women was systemic in the country, especially in the workplace, as evident from the high official figures for sexual harassment. The influence of cultural barriers and religious traditionalists sometimes hampered women's rights.

Children

Birth Registration: Citizenship is derived from one's father. Women cannot transmit their nationality to their children; therefore, children of some citizen mothers and noncitizen fathers are born stateless (see section 2.d., Stateless Persons). Births are not registered immediately. From birth to the age of three months, children are registered with the mother's primary health-care provider. Upon reaching three months, the birth is registered with the Ministry of Health Birth Registration Unit, which then issues the official birth certificate. Children not registered by one year of birth must obtain a registration by court order. The government will not provide public services to a child without a birth certificate.

Education: Government-run primary schools are segregated by gender, although girls and boys are educated with the same curricula and textbooks. Schooling is compulsory for children only through the age of 14, but it is provided free of charge to citizens and legal residents through grade 12.

Child Abuse: NGOs reported an increase in the number of child abuse cases in recent years but were unsure whether it was due to an actual increase in abuse or a greater willingness to report it. Sharia courts, not civil courts, address crimes involving child abuse, including violence against children. NGOs expressed concern over the lack of consistent, written guidelines for prosecuting and punishing offenders and the leniency of penalties involving child abuse cases. The Be Free Center, an associate of the Bahrain Women's Association that focuses on child abuse awareness and prevention, dealt with approximately 400 child abuse victims during the year. The government reported 848 cases of child abuse during the year.

Sexual Exploitation of Children: The law prohibits exploitation of a child for various crimes, including prostitution. Penalties include imprisonment of no less than three months if the accused used exploitation and force to commit the crime and up to six years if more than one child was exploited, as well as penalties of at least 2,000 dinars (\$5,340) for individuals and at least 10,000 dinars (\$26,600) for organizations. Penalties vary depending on the specific law involved. The law also prohibits child pornography. There is no minimum age of consensual sex as the law assumes there is no consensual sex outside of marriage. The minimum age of marriage is 15 for females and 18 for males, but special circumstances allow marriage below these ages with approval from a Sharia court. Cases of commercial sexual exploitation of children were rare.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

According to the Ministry of Human Rights and Social Development, there were 37 Jews in the country. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The law protects the rights of persons with disabilities, and a variety of governmental, quasigovernmental and religious institutions are mandated to support and protect persons with disabilities. The government respected these rights in practice. New public buildings in the central municipality must include facilities for persons with disabilities. The law does not mandate access to other nonresidential buildings for persons with disabilities.

There were no official reports of discrimination against persons with disabilities in employment, education, or access to health care. According to anecdotal evidence, however, disabled persons routinely suffered lack of access to education and employment. The one government school for children with hearing disabilities did not operate past the 10th grade. Some public schools had specialized education programs for children with learning disabilities, physical handicaps, speech impediments, and Down syndrome, but the government did not fund private programs for children who could not find appropriate programs in public schools.

The law requires the government to provide vocational training for persons with disabilities who wish to work. The law also requires any employer of more than 100 persons to hire at least 2 percent of its employees from the government's list of workers with disabilities. However, the government did not monitor compliance. The government placed persons with disabilities in some public sector jobs.

National/Racial/Ethnic Minorities

The law grants citizenship to Arab applicants who have resided in the country for 15 years and non-Arab applicants who have resided in the country for 25 years. There was a lack of transparency in the naturalization process, and there were numerous reports that the citizenship law was not applied uniformly. There were allegations that the government allowed foreign Sunni employees of the security services that had lived in the country for fewer than 15 years to apply for citizenship. There were also reports of Arab Shia who had resided in the country for more than 15 years and non-Arab foreign residents who had resided more than 25 years, who had not been granted citizenship.

Although the government asserted that the labor code for the private sector applies to all workers, the International Labor Organization (ILO) and international NGOs noted that, in practice, foreign workers faced discrimination in the workplace (see section 7).

According to the BICI, in mid-March rioters beat to death two South Asians and attacked 87 others. According to testimony provided to the BICI, the attackers targeted the individuals due to their ethnicity.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law does not criminalize consensual same-sex sexual activity between consenting persons who are at least 21 years of age. However, lesbian, gay, bisexual, and transgender (LGBT) activities were not socially accepted, and discrimination based on sexual orientation or gender identity was common. The Lower Criminal Court convicted 49 male Gulf nationals for allegedly practicing prostitution and other illicit acts while attending a “gay wedding,” according to local press reports. The High Criminal Court upheld the charges in December, and the men were sentenced to six months’ imprisonment.

Other Societal Violence or Discrimination

The media reported few cases of HIV/AIDS. There were no known reports of societal violence or discrimination against persons based on HIV/AIDS status, but medical experts acknowledged publicly that discrimination existed. The government mandated screening of newly arrived migrant workers for infectious diseases, including HIV/AIDS. Migrant workers found to be HIV-positive faced deportation.

Promotion of Acts of Discrimination

According to the BICI, during the disturbances that began in February, the government used official media outlets, especially state-owned Bahrain Television, to produce biased and sensationalist coverage of the unfolding events and to promote sectarianism. During the year Bahrain Television ran a series of programs in which citizens were identified as having participated in demonstrations and it broadcast confessions by detainees and video footage of criminal acts prior to trials. One sports program interrogated national athletes, such as former national soccer team players Alaa Hubail and Sayed Mohammed Adnan, on air about their involvement in protests during the February and March period. Days after the program aired, the two men were arrested.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution and labor code recognize the right to form trade unions independent of government and political parties and the right to strike, but both rights were restricted and the law was not consistently applied. Unions are independent of government and political parties. The right to collective bargaining is not protected by the law. Public sector trade unions are prohibited, but public sector workers may join private sector trade unions and professional associations. Members of the military services are also prohibited from joining unions. With the exception of domestic servants, foreign workers, who made up approximately 60 percent of the workforce, are allowed to join unions. The law prohibits unions from engaging in political activities and states that all trade unions are required to join the General Federation of Bahrain Trade Unions (GFBTU).

The law prohibits strikes in 10 “vital” sectors, the scope of which exceed international standards, including the oil, gas, education, telecommunications, transportation, and health sectors, as well as in pharmacies and bakeries. The law imposes excessive requirements for strikes to be legal and specifies that only a trade union can organize and declare strikes. Workers must approve a strike with a simple majority by secret ballot and provide 15 days’ notification to the employer before conducting a strike.

The government and employers violated labor laws and international standards and practiced antiunion discrimination in the aftermath of the unrest. The BICI found

the government and employers unfairly dismissed workers for union activities, violated workers' right to conduct legal strikes, targeted union leaders and union members, dismissed or suspended employees without due process, and discriminated against workers (specifically Shia workers) for their political opinions or religious beliefs, in contravention of the constitution and domestic law.

On February 19, after security forces raided the GCC/Pearl Roundabout, the GFBTU, which represented more than 70 trade unions cumulatively representing more than 20,000 workers, called for a general strike demanding the government withdraw security forces and allow peaceful demonstrations. On February 21, the GFBTU suspended the strike.

On March 13, the GFBTU called for a second general strike to protest excessive use of force by security forces and to voice general socioeconomic grievances affecting the workforce. The March 15 imposition of the SNS restricted union activities, including the right to assemble. On March 22, the GFBTU called off the second strike after the minister of labor promised that workers would not face punitive measures for participating in strikes. Nevertheless, from March through May, employers dismissed 2,462 workers from the private (parastatal) sector and 1,945 from the public sector, including 57 union leaders (26 percent of the country's union leadership), and suspended hundreds more, according to the BICI report, citing statistics from the Ministry of Labor and Civil Service Bureau. The GFBTU reported 2,010 private and 372 public sector dismissals, according to November statistics.

The most common reason employers cited for dismissal was absence from work, which coincided with the dates of the general union strikes. However, the BICI report concluded that the majority of dismissals were motivated by a desire to retaliate against employees suspected of being involved in demonstrations. In some cases employers dismissed workers without any reason or due process, according to the BICI report and an international labor organization. Some workers and union members reported they had never been absent from work. Others reported that they were forced to tender their resignations under duress or were physically and verbally abused at their workplaces. In many cases employers threatened to refer employees for criminal investigations. Employers and the government targeted union leaders. In March the management of the Arab Shipbuilding and Repair Yard dismissed all the leaders of its trade union, effectively dissolving the union and stopped the transfer to union coffers of dues deducted from members' salaries.

According to the BICI report and other reports, on March 28 and 31, security forces arrested, interrogated, and in some cases physically assaulted workers, especially Shia employees of Gulf Air. Gulf Air officials later admitted the company did not follow proper procedures when it dismissed 219 workers. It cited general insecurity as a reason it could not send the legally required written dismissal notices, while simultaneously rejecting absentee workers' claims that the security situation prevented them from reaching their workplaces.

On April 29, the prime minister established a committee to examine all dismissals in the private/parastatal sector, with the goal of reinstating workers who were illegally terminated, based on recommendations from the ILO. In July the committee, chaired by the minister of labor, determined that 1,371 employees were illegally terminated and recommended their reinstatement. On August 28, the king ordered all concerned organizations to reinstate dismissed workers. By year's end a number of reinstatements had occurred and many others were underway. The process of reinstatement was characterized by lengthy delays, a complicated appeals processes, and inaction or outright refusal to act on the part of some companies and government organizations.

Throughout the year the number of dismissals and reinstatements was a source of disagreement between the government and GFBTU, which sharply disagreed over the methodology for measuring both. At times the Ministry of Labor claimed that dismissals regarded by the GBFTU as unlawful were justified by national security interests. In its report the BICI listed 820 private-sector reinstatements. On October 27, the Ministry of Labor reported 1,623 dismissals and 1,136 reinstatements in the private/parastatal sector. On November 17, the GFBTU reported 1,673 total dismissals but could confirm only 336 reinstatements in the private/parastatal sector. Some reinstated workers were given unfair conditions for reinstatement, including demotion, reduction in responsibility, docking of wages and/or annual leave, reinstatement under "final-warning" status, or compulsory signing of "loyalty pledges" to the government. The issues remained unresolved at year's end.

On December 13, the minister of labor announced the formation of a tripartite committee to reinvestigate all dismissal cases from the unrest period. The committee consisted of representatives from the Ministry of Labor, the Bahrain Chamber of Commerce and Industry, and the GFBTU.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. However, there were reports that such practices occurred, particularly among domestic workers and others working in the informal sector, none of whom are fully protected by the legal code.

Unskilled foreign workers, with the exception of domestic workers, are covered by labor laws, but enforcement was lax, and cases of debt bondage were common (see section 7.d.).

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits child labor and establishes protections for children from workplace exploitation, and in general the government effectively enforced these laws. Some children were believed to work in family-run businesses, but the practice was not widespread. There were reports of children trafficked into the country for domestic service.

The minimum age for employment is 16. The Ministry of Labor made rare exceptions on a case-by-case basis for juveniles between the ages of 14 and 16 who have an urgent need to assist in providing financial support for their families. Minors may not work in industries that the Ministry of Health deems hazardous or unhealthy, including construction, mining, and oil refining. Minors may work no more than six hours a day and may be present on the employment premises no more than seven hours a day. These regulations do not apply to family-operated businesses in which the only other employees are family members.

According to NGOs, government labor inspectors monitored and enforced child labor laws effectively in the industrial sector. The government did not report any child labor violations during the year.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

There is no national minimum wage. Public sector workers are covered by a standardized government pay scale, with a set minimum of 300 dinars (\$798) pay

per month. Citizens who earned less received a government stipend to offset the difference. There was no official poverty level.

The standard workweek is 48 hours. Workers are entitled to paid annual holidays and premium pay for overtime. Excessive compulsory overtime in excess of 60 hours per week requires permission from the Ministry of Labor.

The Ministry of Labor enforced the labor law and mandated acceptable conditions of work for all adult workers except domestic workers. According to NGOs, workplace safety standards were generally adequate, but inspection and compliance were substandard. During the year the Ministry of Labor employed 43 labor inspectors. The ministry set occupational safety and health standards and sporadically enforced them with a team of six engineers from multiple specialties. Inspectors had the authority to levy fines and close worksites if employers did not improve conditions by specified deadlines. There were reports of employers being fined for violations. Penalties include fines of at least 50 dinars (\$133) and up to 300 dinars (\$798).

A ministerial decree prohibits outdoor work between noon and 4 p.m. during July and August. The ban is not strictly enforced and violations were common. The Ministry of Labor reported that 24 companies were cited for violating the summer work restriction. Penalties include fines of at least 50 dinars (\$133) and up to 300 dinars (\$798).

During the year the media reported several workplace deaths owing to a combination of inadequate safety procedures, worker ignorance of those procedures, and inadequate safety standards for equipment. Exact figures were not available. Particularly hazardous sectors included construction and automotive repair.

Unskilled foreign workers, mostly from South and Southeast Asia, made up approximately 60 percent of the workforce (76 percent of the private-sector workforce). They were particularly vulnerable to forced labor and in some cases were subject to withholding of passports, restrictions on movement, contract substitution, nonpayment of wages, threats, and physical and sexual abuse. A 2009 study by the country's Labor Market Regulatory Authority (LMRA) found that 65 percent of foreign workers had not seen their employment contract and that 89 percent were unaware of their terms of employment. Some foreign workers arrived in the country under the sponsorship of an employer and then switched jobs while continuing to pay a fee to their original sponsor, which made it difficult to

monitor and control their employment. Some employers illegally charged workers exorbitant fees to remain in the country and work for other employers. Estimates of the proportion of migrant workers in the country under illegal “free visa” arrangements--a practice that can contribute to debt bondage--ranged from 10 to 25 percent. In numerous cases employers withheld salaries from foreign workers for months or years and refused to grant them permission to leave the country. The fear of deportation or employer retaliation prevented many foreign workers from complaining to authorities.

The government and the courts generally worked to rectify abuses brought to their attention. Workers may lodge complaints with the Ministry of Labor. The ministry reported that it received 2,820 complaints, including joint complaints, brought during the year by a total of 4,398 female and 861 male workers. During the year inspectors visited 354 labor camps to verify that workers’ accommodations met required safety and hygiene standards. Violations were found in 348 camps; 230 were issued orders to rectify the violations, nine cases were transferred to the public prosecution for legal action, and the other cases remained under investigation as of year’s end. Inspectors are authorized to inspect only premises that have a commercial registration and could not inspect private homes where most domestic workers lived or unregistered “private” camps where many unskilled laborers lived.

The labor law does not protect domestic workers, and this group was particularly vulnerable to exploitation. There were credible reports that many of the country’s 70,000 domestic workers, most of them women, were forced to work 12- to 16-hour days, had to give their identity documents to employers, had little time off, were malnourished, and were subject to verbal and physical abuse, including sexual molestation and rape. On average the Ministry of Labor received three complaints from domestic workers per month. Reports of employers and recruitment agents beating or sexually abusing foreign women working in domestic positions were common. Numerous instances were reported to embassies, the press, and police. Most victims were too intimidated to sue their employers, although they had the right to do so. If a victim brings suit against her employer, she cannot leave the country for the duration of the case. Ministry of Labor officials stated that they were able to resolve most of these cases through mediation. The public prosecutor took the remaining cases for investigation. Complaints that cannot be settled though arbitration must be referred to the court within 15 days. However, the vast majority of cases involving abused domestic workers did not reach the Ministry of Labor or the public prosecutor.

During the year the Migrant Workers Protection Society shelter assisted 128 female domestic workers. The Migrant Workers Protection Society continued to support victims who took their cases to court, but compensation to victims was reportedly meager.

The government continued to conduct workers' rights awareness campaigns, publish pamphlets on foreign resident workers' rights in several languages, provide manuals on these rights to local diplomatic missions, and operate a telephone hotline for victims.